

**Testimony of Sally Regenhard, Chairperson, Skyscraper Safety Campaign**  
**Re: "NIST Investigation: Findings, Recommendations and Next Steps" 10/26/05**

Good morning Chairman Boehlert and members of the House Science Committee. It is truly an honor and a privilege to address you today. I must first begin by thanking Chairman Sherwood Boehlert and this Committee, for listening with compassion and concern to the families of the victims of 9/11. When we first came here in March and May of 2002, we were desperately seeking leadership for an investigation of what happened to our loved ones on 9/11/01. We had sought this on the local level in NYC, but found no one to help us answer the painful questions regarding what happened to our loved ones in the WTC on that dreaded day of infamy.

Chairman Boehlert and the Science Committee redeemed our belief in the system, and renewed our faith in the process of representative government in our beloved country, and for this, we profoundly thank you. The families of the victims, as well as the American public, remain in your debt for your efforts in authorizing a WTC Investigation through the National Construction Safety Team Act.

I must begin by thanking NIST for interacting with us on a regular basis over the past three years, via conference calls & meetings, with myself and my SSC co chair, Monica Gabrielle, who is out of the country, and cannot be here today. I know it has not always been easy to deal with me and other victims' families, but I appreciate the tolerance and respect showed by NIST. I also appreciate the vast technical research abilities of this organization, and the enormous task of embarking upon the WTC Investigation.

In totality however, while some very valuable results were achieved, the overall mode and findings of the investigation was not what I had hoped for. I had certain hopes regarding NIST & the investigation, but I and others were disillusioned regarding what NIST was willing and able to do. I had hoped for more specific and comprehensive recommendations that could easily be translated into code reform and change, but this is not the case. The recommendations are very general and lack specifics. I feel that the vagueness of the language was influenced by political correctness and a general reluctance or inability to "investigate", use subpoena power, "lay blame", or even point out the deadly mistakes of 9/11 in the WTC.

The following are five areas of concern for the Skyscraper Safety Campaign :( While I have an understanding of these issues in concept, for answers to specific, technical questions, I would like to confer with two of my technical advisors who are with me here today.)

- 1) The role of the Port Authority of NYNJ & its' exemptions from immunities & codes. The failure of the NIST Investigation to comprehensively examine what role these immunities had in the design, construction, maintenance and ultimate collapse of the WTC is of great concern to me.
- 2) The lack of more intense emphasis on fireproofing issues, premature disposal of steel evidence, the heavy reliance on computer modeling for fire testing, & the reluctance to focus on cause, blame, and resultant implications are troubling.
- 3) The reliance on the voluntary cooperation of key figures in the investigation to provide needed information; placing the former WTC chief structural engineer on the payroll to facilitate his involvement in the investigation, utilizing researchers to the exclusion of true investigators going into the field to obtain evidence is problematic to me. On this last point, I have been married to a NYPD detective sergeant for over 30 years, and I can recognize an Investigation when I see one. I feel the inherent character of NIST as a research rather than investigative agency was a factor in this situation.

4) The lack of focus on evacuation issues of the WTC such as remoteness of exits, behavior of fleeing persons in the stairwells, & the avoidance of first person accounts of stairwell evacuation, and length of time it took to evacuate the building was a shortcoming.

5) The relative secrecy of the investigation, and the withholding of all materials and documents used by NIST to arrive at the study's conclusions is very disturbing. These materials should be made available to professionals for further study and analysis, to question and/or duplicate the findings, according to the scientific method, and should not be locked away in the National Archives or anywhere else. I hope I can call on the Science Committee to unlock this information for the American public.

In conclusion, for these and other reasons, I feel that government must take a larger role in developing stronger codes and standards for building and public safety. Government representatives should be part of code writing groups, and help to develop standards and practices. As is stands now, it is a battle of the "do gooders" like me and the Skyscraper Safety Advisors vs. business interests, in a never ending conflict regarding public safety. The NIST investigation should not be an end; it should be just the beginning of a new era in which we see the real and meaningful role that government must play in the safety and well being of the American people. In addition to the laudable creation of the National Construction Safety Team Act, this participation can be an additional legacy for the innocent victims of 9/11, including my beautiful son, Probationary Firefighter Christian Michael Otto Regenhard, who continues to be the inspiration for the work and accomplishments of the Skyscraper Safety Campaign. Thank you for this opportunity to speak today. God bless you all.

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